

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 7038 of 2021
Date of Decision: 16.2.2021**

Tekchand Sharma @ Tikaram

.....Petitioner

Versus

Raghu Nandan @ Ruggi and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Petitioner in person.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 118 dated 8.6.2020 under Sections 285, 447, 34, 120-B IPC and Sections 27, 54, 59 of the Arms Act, 1959, registered at Police Station Hassanpur, District Palwal and all the subsequent proceedings arising therefrom.

Petitioner submits that he is an ex-serviceman and an Advocate and the present FIR has been got registered by respondent No. 1 in collusion with the police officials. He further submits that there is a property dispute between the real brothers from the last 20 years and they have also filed the civil suits against each other, which are still pending. He further submits that a compromise was effected between the parties but respondent No. 1 in connivance with other associated partners, concealed the material facts of the compromise and tampered the MOA. He further submits that he has been granted protection by the Commissioner of Police, Faridabad.

The petitioner has not disputed the fact that his brother Raghunandan has already approached this Court by way of CRM-M-24934-2020 and vide order dated 30.9.2020, the said petition was disposed of with liberty to approach the Magistrate concerned.

Notice of motion to the State-respondent No. 2 only.

On the asking of the Court, Mr. Manish Dadwal, AAG, Haryana, accepts notice on behalf of the State.

Without going into the merits of the present case, the present petition is disposed of with liberty to the petitioner to approach the Magistrate concerned with all the pleas, as have been raised in the present petition, if so advised, in terms of the judgment of the Hon'ble Supreme Court in *Vinubhai Haribhai Malaviya and Ors. Vs. The State of Gujarat and Anr., 2019 AIR (SC) 5233*. On his doing so, the Magistrate concerned would take the cognizance of the application and decide the same, as per law.

(HARNARESH SINGH GILL)
JUDGE

February 16, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No